

1 JOSEPH P. RUSSONIELLO (CASBN 44332)
2 United States Attorney

3 W. DOUGLAS SPRAGUE (CSBN202121)
4 Chief, Oakland Branch

5 MAUREEN BESSETTE (NYSBN 246854)
6 Assistant United States Attorney

7 1301 Clay Street, Suite 340S
8 Oakland, CA 94612
9 Telephone: (510) 637-3680
10 Fax: (510) 637-3724
11 Email: Maureen.Bessette@usdoj.gov

12 Attorneys for Plaintiff

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

15 OAKLAND DIVISION

16 UNITED STATES OF AMERICA, }
17 Plaintiff, }
18 v. }
19 MAUDE MILLARD (a/k/a Geraldine Ray, }
20 a/k/a Geraldine McGowen), }
21 Defendant. }

22 Case No. CR-08-429 WDB

23 MOTION FOR SUMMONS

24 Based on the facts set forth in the Declaration of Joshua M. Fryday in Support of the United
25 States' Motion for Summons, the United States hereby requests that the Court issue a summons
26 for defendant MAUDE MILLARD (a/k/a Geraldine Ray, a/k/a Geraldine McGowen),
27 to appear on July 22, 2008. The facts set forth in the declaration demonstrate that probable
28 cause exists to believe that the defendant has committed a crime.

29 ////

30 ////

31 ////

32 ////

33 ////

34 ////

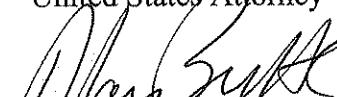
35 ////

36 MOTION FOR SUMMONS

cause exists to summon the defendant to answer the Information that has been filed by the United
1 States Attorney.
2
3
4

Respectfully submitted,

5 JOSEPH P. RUSSONIELLO
United States Attorney

6 
7 MAUREEN BESSETTE
8 Assistant United States Attorney

9
10 Dated: 6/24/08
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 JOSEPH P. RUSSONIELLO (CASBN 44332)
2 United States Attorney

3 W. DOUGLAS SPRAGUE (CSBN202121)
4 Chief, Oakland Branch

5 MAUREEN BESSETTE (NYSBN 246854)
6 Assistant United States Attorney

7 1301 Clay Street, Suite 340S
8 Oakland, CA 94612
9 Telephone: (510) 637-3680
10 Fax: (510) 637-3724
11 Email: Maureen.Bessette@usdoj.gov

12 Attorneys for the United States of America

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION

16 UNITED STATES OF AMERICA, }
17 Plaintiff, }
18 v. }
19 MAUDE MILLARD (a/k/a Geraldine Ray, }
20 a/k/a Geraldine McGowen) }
21 Defendant. }

22 Case No. CR - 08 - 429 WDB

23 **DECLARATION OF JOSHUA M.
24 FRYDAY IN SUPPORT OF UNITED
25 STATES' MOTION FOR SUMMONS**

26 I, Joshua M. Fryday, hereby declare as follows:

27 1. I am the Law Clerk assigned to this case. I have received the following information from
28 agents employed by the Social Security Administration, Office of the Inspector General, Office
of Investigations (SSA-OIG), and from reports and other documents provided to me by the SSA-
OIG.

2. Between approximately 1975 to the present, within the Northern District of California,
Maude Millard (a/k/a Geraldine Ray a/k/a Geraldine McGowen), ("MILLARD"), did knowingly
use multiple identities to obtain benefits from SSA/SSI, and from the State of California.

1 3. On May 16, 2007, SSA-OIG received an allegation from Department of Motor Vehicles
2 (DMV) and Department of Insurance (DOI), reporting that MILLARD had multiple social
3 security numbers (SSN's) and multiple driver licenses, and that she might be fraudulently using
4 these multiple identities to obtain benefits from SSA/SSI and the State of California DMV and
DOI.

5 4. Special Agent (SA) Gary DaSilva obtained all SSN's associated with Ray, McGowen,
6 and MILLARD through SSA records and determined that MILLARD was using two SSN's for
7 work while she was collecting SSI benefits under her true SSN.

8 5. Subsequent to obtaining her true SSN in 1954, MILLARD applied for and was issued a
9 second SSN under the name Geraldine McGowen in 1976 and a third SSN under her own name
10 in 1982 using false information as to her identity on the two latter SSN applications.
11 Specifically, MILLARD obtained these two fraudulent SSN's by using false places of birth, false
12 parent names, and false date of births. From 1976 to 2006, MILLARD was employed using the
13 second fraudulent SSN. Although MILLARD never collected SSA/SSI benefits using the third
14 fraudulent SSN, she did work under this SSN from 1985 to 1991.

15 6. Since 1975, MILLARD has collected SSI under her true SSN, at the same time she
16 continued to work under her two fraudulently obtained SSN's. In June, 2004, MILLARD applied
17 and became eligible to receive aged spousal benefits from her husband's SSN using her true
18 SSN. At the time she applied for her aged spousal benefits application using her true SSN, she
19 failed to report that she had previously worked under two false SSN's.

20 7. Upon filing for Title II Retirement benefits in April 2006 using the second fraudulent SSN,
21 MILLARD failed to report to SSA that she had previously been issued her true SSN and had
22 been collecting SSI benefits and aged spousal benefits using her true SSN. Further, MILLARD
23 failed to report to SSA that she had previously been issued her true SSN and had been collecting
24 SSI benefits and aged spousal benefits using her true SSN.

25 8. On September 14, 2007, SA DaSilva interviewed MILLARD at the DMV Office in El
26 Cerrito, California. MILLARD was read her rights and she waived her rights in writing.
27

1 MILLARD stated that her true name according to her Texas birth certificate is Maude Millard,
2 and admitted that she is currently receiving SSA/SSI benefits under her true SSN, and SSA/SSI
3 benefits under the second fraudulent SSN. MILLARD stated that she knew what she did was
4 wrong, and is sorry for the problems she created. MILLARD also stated that if there is any
5 monies owed to SSA/SSI, she is willing to repay the money back to SSA/SSI in full.

6 I declare under penalty of perjury that the foregoing is true and correct to the best of my
7 knowledge and belief.

8

9 Executed June 24, 2008 at Oakland, California.

10

11

DATED: 6-24-08

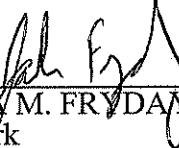
Respectfully submitted,

12

JOSEPH P. RUSSONIELLO
United States Attorney

13

14


JOSHUA M. FRYDAY
Law Clerk
United States Attorney's Office

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1 JOSEPH P. RUSSONIELLO (CASBN 44332)
2 United States Attorney
3
4
5
6

7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 OAKLAND DIVISION

10 UNITED STATES OF AMERICA, }
11 Plaintiff, }
12 v. }
13 MAUDE MILLARD (a/k/a Geraldine Ray, }
14 a/k/a Geraldine McGowen), }
15 Defendant. }

Case No. CR-08-429 WDB

[PROPOSED] ORDER FOR SUMMONS

16
17 Having reviewed the Declaration of Joshua M. Fryday, the Court finds that probable cause
18 exists to believe that an offense has been committed. Accordingly, pursuant to Fed. R. Crim. P.
19 58(d)(3), the Clerk of the Court is directed to issue a Summons directing the defendant, Maude
20 Millard (a/k/a Geraldine Ray, a/k/a Geraldine McGowen), to appear on July 22, 2008 at 10:00 am
21 before Magistrate Judge Wayne D. Brazil to answer the Information that has been filed by the
22 United States Attorney.

23
24 IT IS SO ORDERED.

25 Dated: _____

26 MARIA-ELENA JAMES
27 United States Magistrate Judge
28